



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventor: Hideki Kanemoto et al. Group Art Unit: 2664  
Appln. No.: 09/744,811 Examiner: A. C. Lee  
Filed: January 30, 2001  
For: PACKET COMMUNICATION APPARATUS AND TRANSMIT POWER  
CONTROL METHOD

CERTIFICATION UNDER 37 CFR \$1.97(e) (1)

Assistant Commissioner of Patents  
Washington, DC 20231

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SEP 16 2004  
Technology Center 2600

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Japanese Office Action dated June 15, 2004) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Date: September 15, 2004

James E. Ledbetter  
Registration No. 28,732

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INFORMATION DISCLOSURE STATEMENT

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Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. All of these references were cited in a Japanese Office Action dated June 15, 2004 (English translation attached). US '190 corresponds to JP '574.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: September 15, 2004

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SERIAL NO.

**09/744,811**

(Use several sheets if necessary)

Hideki KANEMOTO, et al.

**January 30, 2001**

2664

## PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

**Japanese Office Action dated June 15, 2004 with English translation.**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.